

ESTTA Tracking number: **ESTTA700377**

Filing date: **10/06/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Lucky Brand Dungarees, LLC
Granted to Date of previous extension	10/07/2015
Address	540 South Santa Fe Ave. Los Angeles, CA 90013 UNITED STATES
Attorney information	Sofia Jeong, Esq. Troutman Sanders LLP 600 Peachtree St. NE, Suite 5200 Atlanta, GA 30309 UNITED STATES trademarks@troutmansanders.com, sofia.jeong@troutmansanders.com, susan.stabe@troutmansanders.com Phone:404.885.3678

### Applicant Information

Application No	86510377	Publication date	06/09/2015
Opposition Filing Date	10/06/2015	Opposition Period Ends	10/07/2015
Applicant	Lucky Industries USA, LLC 25 South Clermont Street Boulder, CO 80246 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Bandanas; Hats; Pants; Shirts; Shoes; Shorts; Socks; Sweat jackets; Sweat pants; Sweat shirts; Sweat suits; Swim suits

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3417110	Application Date	04/10/2007
Registration Date	04/29/2008	Foreign Priority Date	NONE
Word Mark	LUCKY		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1990/06/00 First Use In Commerce: 1990/06/00 Bottoms; Jeans; Knit shirts; Pants; Shirts; Short-sleeved or long-sleeved t-shirts; Polo shirts; Short-sleeved shirts; Sweaters; T-shirts; Tank tops; Tops; skirts

U.S. Registration No.	1646123	Application Date	07/30/1990
Registration Date	05/28/1991	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1990/06/05 First Use In Commerce: 1990/06/05 men's jeans and shirts		

U.S. Registration No.	2655004	Application Date	07/11/2001
Registration Date	11/26/2002	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/06/01 First Use In Commerce: 1995/06/01 RETAIL STORE SERVICES FEATURING CLOTHING, CLOTHING ACCESSORIES, TOYS, PERFUME AND GIFTS		

U.S. Application No.	86096771	Application Date	10/21/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DENIM DECADES BY LUCKY BRAND		

Design Mark	Denim Decades by Lucky Brand
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, blazers, bottoms, coats, jackets, jeans, shirts, shorts, skirts, pants, tops, and vests, all made in whole or in significant part of denim; denim footwear; denim headwear

U.S. Application No.	86313946	Application Date	06/18/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LUCKY BABY		
Design Mark	LUCKY BABY		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Baby bibs not of paper; Bottoms; Caps; Children's and infants' cloth bibs; Coats; Dresses; Ear muffs; Footwear; Gloves; Hats; Jackets; Jeans; Jumpers; Leggings; One piece garment for infants and toddlers; One-piece play suits; Overalls; Pants; Scarves; Shorts; Skirts; Socks; Sweaters; Sweatpants; Sweatshirts; T-shirts; Tank tops; Tops; Underwear		


U.S. Registration No.	3981713	Application Date	01/27/2011
Registration Date	06/21/2011	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND		

Design Mark	<b>LUCKY BRAND</b>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1990/12/07 First Use In Commerce: 1990/12/07 Belts; Blouses; Bottoms; Boxer shorts; Dresses; Hats; Jackets; Jeans; Pants; Shirts; Shoes; Shorts; Skirts; Sweat pants; Sweaters; Sweatshirts; Swimwear; T-shirts; Tank tops; Tops; Vests

U.S. Registration No.	3104220	Application Date	02/22/2000
Registration Date	06/13/2006	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND		
Design Mark	<b>LUCKY BRAND</b>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1995/04/01 First Use In Commerce: 1995/04/01 MEN'S UNDERWEAR, NAMELY, BOXER SHORTS AND BRIEFS; TANK SHIRTS, T-SHIRTS, PANTS, TOPS AND SHORTS; AND SLEEPWEAR, NAMELY, NIGHTGOWNS, PAJAMAS, SLEEP SHIRTS, BED JACKETS AND ROBES		

U.S. Registration No.	2686829	Application Date	12/08/1995
Registration Date	02/11/2003	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND DUNGAREES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/06/01 First Use In Commerce: 1996/08/30 retail store services, other than supermarkets, convenience stores, drug stores- and combination supermarket/drug stores, featuring a variety of goods includ-		

	ingclothing, clothing accessories, headgear, footwear, general merchandise, gift items, jewelry, accessories, luggage, bags, wallets, cases, purses, handbags, sunglasses and cases therefor, sunglass cords and chains, toys, stationery, fragrances, personal care products, cosmetics, towels, blankets, bedding, housewares, artwork, food and beverages
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U.S. Registration No.	2158107	Application Date	06/13/1996
Registration Date	05/19/1998	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND DUNGAREES OF AMERICA TOO TOUGH TO DIE		
Design Mark	 <p>The logo is a rectangular design with rounded corners and a decorative border. At the top, 'Lucky Brand' is written in a cursive script. Below it is a small oval containing a four-leaf clover. Underneath the clover, 'DUNGAREES' is written in a bold, sans-serif font, followed by 'AMERICA' in a similar font. At the bottom, 'TOO TOUGH TO DIE' is written in a smaller, bold, sans-serif font.</p>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1991/01/00 First Use In Commerce: 1991/01/00 clothing, namely, pants, jeans, [ shorts,] bottoms, [dresses, skirts, jumpsuits, overalls, ] jackets [, shirts and hats]		


U.S. Registration No.	3041039	Application Date	11/09/2004
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	LUCKY BRAND JEANS		

Design Mark	<p><b>LUCKY BRAND JEANS</b></p>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Retail store services featuring a variety of goods including clothing, clothing accessories, headgear, footwear, general merchandise, gift items, jewelry, handbags, wallets, sunglasses, fragrances, personal care products [and toys]

U.S. Application No.	86313948	Application Date	06/18/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LUCKY GIRL		
Design Mark	<p><b>LUCKY GIRL</b></p>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing namely, Pants; Caps; Headwear; Coats; Dresses; Skirts; Ear muffs; Footwear; Gloves; Hats; Jackets; Jeans; Jumpers; Leggings; Overalls; Scarves; Shorts; Socks; Hosiery Sweaters; Sweatpants; Sweatshirts; T-shirts; Tank tops; Tops; Underwear		

U.S. Application No.	86197470	Application Date	02/19/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LUCKY KID		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, belts, socks, hosiery; headwear

U.S. Registration No.	3500183	Application Date	03/09/2006
Registration Date	09/09/2008	Foreign Priority Date	NONE
Word Mark	LUCKY KID		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/08/26 First Use In Commerce: 2006/08/26 Retail store services and online retailstore services, other than supermarkets, convenience stores, drug stores and combination supermarket/drug stores, and mail order services, all in the field of apparel, leather goods, fashion accessories, jewelry, footwear, eyewear		

U.S. Registration No.	3387018	Application Date	07/06/2006
Registration Date	02/19/2008	Foreign Priority Date	NONE
Word Mark	LUCKY KID		

Design Mark	<b>LUCKY KID</b>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2006/12/00 First Use In Commerce: 2006/12/00 Clothing, namely, shirts, pants, sweaters, skirts, dresses, coats [, belts, socks, hosiery; headwear ]

U.S. Registration No.	4301800	Application Date	11/08/2010
Registration Date	03/12/2013	Foreign Priority Date	NONE
Word Mark	LUCKY LEGEND		
Design Mark	<b>LUCKY LEGEND</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2008/01/01 First Use In Commerce: 2010/01/01 Retail store and on-line retail store services featuring apparel, handbags, leather goods, fashion accessories, jewelry, footwear, fragrance, cosmetics, personal care products, eyewear, luggage and home products		

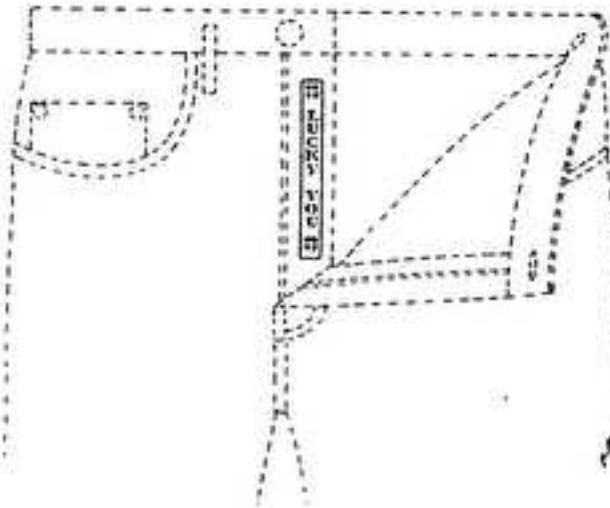
U.S. Registration No.	3775279	Application Date	01/15/2008
Registration Date	04/13/2010	Foreign Priority Date	NONE
Word Mark	LUCKY LEGEND		




Design Mark	<b>LUCKY LEGEND</b>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2008/04/00 First Use In Commerce: 2008/04/00 Bottoms; Denim jackets; Denims; Jeans; shirts; Short-sleeved shirts; Skirts; T-shirts

U.S. Registration No.	2469997	Application Date	03/16/1998
Registration Date	07/17/2001	Foreign Priority Date	NONE
Word Mark	LUCKY ME		
Design Mark	<b>LUCKY ME</b>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1998/05/00 First Use In Commerce: 1998/05/00 CLOTHING, NAMELY, [ SHIRTS, BLOUSES, T-SHIRTS, TANK TOPS, TOPS, VESTS, SWEATERS, DRESSES, SKIRTS, JUMPERS, JUMP SUITS, ROMPERS, OVERALLS, JACKETS, BLAZERS, SPORT COATS,] BOXER SHORTS, PANTS, JEANS, SHORTS,[ LEGGINGS, ] BOTTOMS, [ SWEAT-SHIRTS, SWEAT PANTS, SWEAT SUITS, JOGGING SUITS, SUITS, SLEEP WEAR,][ SOCKS, LEOTARDS, ][ BODY SUITS, ][ TIES, BANDANNAS,SWIM WEAR, HEADBANDS, SUSPENDERS, SCARVES, HATS, ][ CAPS ][, VI-SORS, BELTS, SHOES, SNEAKERS, SANDALS, BOOTS AND SLIPPERS ]		

U.S. Registration No.	1886118	Application Date	04/29/1993
Registration Date	03/28/1995	Foreign Priority Date	NONE
Word Mark	LUCKY YOU		

Design Mark	
Description of Mark	The design portion of the mark consists of a rectangular cloth label sewn and positioned vertically on the inside of the front fly of a pair of pants and two four leaf clovers. The broken lines in the drawing are not a part of the mark and no claim is made to them. They serve only to show the position of the mark.
Goods/Services	Class 025. First use: First Use: 1990/12/00 First Use In Commerce: 1990/12/00 jeans

U.S. Registration No.	2306342	Application Date	06/11/1996
Registration Date	01/04/2000	Foreign Priority Date	NONE
Word Mark	LUCKY YOU		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1990/12/12 First Use In Commerce: 1990/12/12 Clothing, namely, shirts, [ blouses, t-shirts, tank tops, tops, vests, sweaters, dresses, skirts, jumpers, jumpsuits, rompers, overalls, jackets, blazers, sport coats, ] boxer shorts, pants, jeans, shorts, [ leggings, ] bottoms [, sweatshirts, sweatsuits, jogging suits, sleepwear, socks, bandannas, swimwear, hats, caps, sneakers ]		

U.S. Registration No.	1739962	Application Date	04/20/1992
Registration Date	12/15/1992	Foreign Priority Date	NONE
Word Mark	LUCKY YOU		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 1990/12/07 First Use In Commerce: 1990/12/07 jeans
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Attachments	77153076#TMSN.png( bytes ) 76282385#TMSN.png( bytes ) 86096771#TMSN.png( bytes ) 86313946#TMSN.png( bytes ) 85228321#TMSN.png( bytes ) 75924261#TMSN.png( bytes ) 75118448#TMSN.png( bytes ) 78513557#TMSN.png( bytes ) 86313948#TMSN.png( bytes ) 86197470#TMSN.png( bytes ) 78833361#TMSN.png( bytes ) 78979507#TMSN.png( bytes ) 85171753#TMSN.png( bytes ) 77372213#TMSN.png( bytes ) 75450495#TMSN.png( bytes ) 74384152#TMSN.png( bytes ) 75117086#TMSN.png( bytes ) Notice of Opposition.pdf(1429221 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/sj/
Name	Sofia Jeong, Esq.
Date	10/06/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<b>LUCKY BRAND DUNGAREES, LLC</b>	)	
	)	
<b>Opposer,</b>	)	<b>Application Serial No. 86510377</b>
	)	
<b>v.</b>	)	<b>Mark: LUCKY EDIBLES</b>
	)	
<b>LUCKY INDUSTRIES USA, LLC</b>	)	
	)	<b>Opposition No. _____</b>
	)	
<b>Applicant.</b>	)	
_____	)	

**NOTICE OF OPPOSITION**

Opposer Lucky Brand Dungarees, LLC (“Opposer”) believes that it will be damaged by the registration of Application Serial No. 86510377 (“Application”) for the mark LUCKY EDIBLES (“Applicant’s Mark”) filed by Lucky Industries USA, LLC (“Applicant”) on January 21, 2015. Opposer hereby opposes the Mark in connection with the following Class 25 goods: “Bandanas; Hats; Pants; Shirts; Shoes; Shorts; Socks; Sweat jackets; Sweat pants; Sweat shirts; Sweat suits; Swim suits.” As grounds for opposition, the Opposer alleges as follows:

**Parties and Procedural Background**

1. Opposer is a Delaware limited liability company with a principal place of business located at 540 South Santa Fe Ave., Los Angeles, CA 90013.
2. Upon information and belief, Applicant is a Colorado limited liability company with a principal place of business located at 25 South Clermont Street, Boulder, Colorado 80246.
3. Applicant is the owner of Application filed on January 21, 2015, which covers the following Class 25 goods: “Bandanas; Hats; Pants; Shirts; Shoes; Shorts; Socks; Sweat jackets; Sweat pants; Sweat shirts; Sweat suits; Swim suits.”

4. Applicant's Mark was filed with the PTO on an intent-to-use basis (Section 1(b)) of the Lanham Act, 15 U.S.C. §1051(b), giving Applicant a constructive use date of January 21, 2015.

5. Applicant's Mark was published in the U.S. Patent and Trademark Office's ("PTO") *Official Gazette* on June 9, 2015.

6. On July 9, 2015, Opposer requested and was granted an extension of time to file an opposition, which was set to expire on October 7, 2015. Therefore, this Notice of Opposition is timely filed.

### **Allegations**

7. Opposer is the owner of the marks: 1) LUCKY (Reg. No. 3417110) for "Bottoms; jeans; knit shirts; pants; shirts; short-sleeved or long-sleeved t-shirts; polo shirts; short-sleeved shirts; sweaters; t-shirts; tank tops; tops; skirts" in Class 25, 2) LUCKY BRAND (Reg. No. 1646123) for "men's jeans and shirts" and 3) several additional registrations incorporating the "LUCKY" trademark in International Class 25 (collectively, the "Lucky Mark"). *See Exhibit A.*

8. Since at least as early as June 1990, Opposer has continuously used the Lucky Mark in connection with apparel and retail store services for clothing and clothing accessories in the United States. Opposer continues to use the Lucky Mark in connection with such goods and services in the United States and throughout the world. Opposer's use and registration of its Lucky Mark pre-date Applicant's constructive use date of January 21, 2015. As such, Opposer has priority over Applicant, and Opposer's rights in the Lucky Mark are superior to Applicant's rights to the Applicant's Mark.

9. Upon information and belief, the goods identified in the Application are identical or highly related to Opposer's goods provided and used under the Lucky Mark.

10. Applicant's adoption of, and any use of, the Lucky Mark (and any confusingly similar variation thereof) on goods that are identical or highly related to those provided by Opposer is without license, permission or authorization of Opposer.

**Count I: Likelihood of Confusion**

11. Opposer restates the allegations set forth in Paragraphs 1 through 10 as if fully set forth herein.

12. The mark set forth in the Application so resembles the Lucky Mark as to be likely, when used in connection with Applicant's listed goods, to cause confusion, mistake or deception among consumers and the public, within the meaning of § 2(d) of the Lanham Act, 15 U.S.C. §§ 1052(d) and 1125(a), by creating the false impression that Applicant's goods originate with Opposer or are otherwise endorsed, sponsored, licensed, authorized by or connected in any way to Opposer, which is false.

13. Such consumer confusion is likely to occur because the goods set forth in the Application are identical or highly related to the goods and services offered and sold by Opposer under the Lucky Mark.

14. Opposer advertises and promotes its Lucky Mark-branded goods through a variety of media and different channels. The Application contains no restrictions on Applicant's goods or channels of trade, such that Applicant's goods may be provided through identical and/or similar trade channels as Opposer's goods and to the same class of consumers.

15. Such likelihood of confusion will damage Opposer and cause irreparable harm to the goodwill embodied by the Lucky Mark.

16. Use and registration of the mark set forth in the Application will be injurious to the Opposer in violation of §13(a) of the Lanham Act, 15 U.S.C. § 1063(a), and Opposer is likely to be damaged by registration of the mark set forth in the Application.

**Prayer**

WHEREFORE, Opposer has paid the requisite fees to the United States Patent and Trademark Office contemporaneous with the filing of this opposition action. If such fees are deficient or any other fees are required, the USPTO is authorized to charge counsel's deposit account no. 20-1507 for the required amount.

WHEREFORE, the Opposer believes that it will be damaged by the registration of the Application and prays that:

- (a) this Notice of Opposition be sustained in favor of Opposer and said Application be refused, and that no registration be issued thereon to Applicant; and
- (b) the Board grant to Opposer such other relief as the Board deems just and proper.

This 6<sup>th</sup> day of October, 2015.

Respectfully submitted,

TROUTMAN SANDERS LLP

*/Sofia Jeong/*

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Sofia Jeong (GA Bar No. 629253)  
Susan Stabe (CA Bar No. 190732)  
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[sofia.jeong@troutmansanders.com](mailto:sofia.jeong@troutmansanders.com)  
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was sent by first class mail to the correspondent of record for Applicant as follows:

Evan A. Raynes, Esq.  
Symbus Law Group LLC  
1425 K St NW Ste 350  
Washington, D. C. 20005-3514

This 6<sup>th</sup> day of October, 2015

/Sofia Jeong/

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# **EXHIBIT A**

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,417,110

Registered Apr. 29, 2008

TRADEMARK  
PRINCIPAL REGISTER

LUCKY

LUCKY BRAND DUNGAREES, INC. (DELA-  
WARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: BOTTOMS; JEANS; KNIT SHIRTS; PANTS;  
SHIRTS; SHORT-SLEEVED OR LONG-SLEEVED T-  
SHIRTS; POLO SHIRTS; SHORT-SLEEVED SHIRTS;  
SWEATERS; T-SHIRTS; TANK TOPS; TOPS; SKIRTS  
, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-1990; IN COMMERCE 6-0-1990.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,646,123 AND  
2,381,638.

SER. NO. 77-153,076, FILED 4-10-2007.

ELIZABETH KAJUBI, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

Reg. No. 1,646,123

**United States Patent and Trademark Office** Registered May 28, 1991

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**TRADEMARK  
PRINCIPAL REGISTER**

**LUCKY BRAND**

MONTESANO, GENE (UNITED STATES CITI-  
ZEN)  
935 EAST 12TH STREET  
LOS ANGELES, CA 90021

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BRAND", APART FROM THE  
MARK AS SHOWN.

FOR: MEN'S JEANS AND SHIRTS, IN CLASS  
25 (U.S. CL. 39).  
FIRST USE 6-5-1990; IN COMMERCE  
6-5-1990.

SER. NO. 74-082,798, FILED 7-30-1990.

LESLEY LAMOTHE, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,655,004**

**Registered Nov. 26, 2002**

**SERVICE MARK  
PRINCIPAL REGISTER**

**LUCKY BRAND**

LUCKY BRAND DUNGAREES, INC. (DELA-  
WARE CORPORATION)  
4599 DISTRICT BLVD.  
VERNON, CA 90058

FIRST USE 6-1-1995; IN COMMERCE 6-1-1995.

OWNER OF U.S. REG. NOS. 1,646,123, 2,330,052,  
AND OTHERS.

FOR: RETAIL STORE SERVICES FEATURING  
CLOTHING, CLOTHING ACCESSORIES, TOYS,  
PERFUME AND GIFTS, IN CLASS 35 (U.S. CLS.  
100, 101 AND 102).

SN 76-282,385, FILED 7-11-2001.

MATTHEW SWYERS, EXAMINING ATTORNEY



United States Patent and Trademark Office

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## Denim Decades by Lucky Brand

**Word Mark**

DENIM DECADES BY LUCKY BRAND

**Goods and Services**

IC 025. US 022 039. G &amp; S: Clothing, namely, blazers, bottoms, coats, jackets, jeans, shirts, shorts, skirts, pants, tops, and vests, all made in whole or in significant part of denim; denim footwear; denim headwear

**Standard Characters Claimed****Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

86096771

**Filing Date**

October 21, 2013

**Current Basis**

1B

**Original Filing Basis**

1B

**Published for Opposition**

January 13, 2015

**Owner**(APPLICANT) LUCKY BRAND DUNGAREES, LLC LIMITED LIABILITY COMPANY  
DELAWARE 540 S SANTA FE AVENUE LOS ANGELES CALIFORNIA 90013**Assignment Recorded**

ASSIGNMENT RECORDED

**Attorney of Record** Susan Stabe, Esq.**Disclaimer**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DENIM" AND "BRAND" APART FROM THE MARK AS SHOWN

**Type of Mark**

TRADEMARK

**Register**PRINCIPAL  
LIVE



United States Patent and Trademark Office

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# LUCKY BABY

**Word Mark  
Goods and  
Services**

LUCKY BABY

IC 025, US 022 039. G &amp; S: Baby bibs not of paper; Bottoms; Caps; Children's and infants' cloth bibs; Coats; Dresses; Ear muffs; Footwear; Gloves; Hats; Jackets; Jeans; Jumpers; Leggings; One piece garment for infants and toddlers; One-piece play suits; Overalls; Pants; Scarves; Shorts; Skirts; Socks; Sweaters; Sweatpants; Sweatshirts; T-shirts; Tank tops; Tops; Underwear

**Standard  
Characters  
Claimed****Mark Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

86313946

**Filing Date**

June 18, 2014

**Current Basis**

1B

**Original Filing  
Basis**

1B

**Published for  
Opposition**

December 2, 2014

**Owner**

(APPLICANT) Lucky Brand Dungarees, LLC LIMITED LIABILITY COMPANY DELAWARE 540 S. Santa Fe Avenue Los Angeles CALIFORNIA 90013

**Attorney of  
Record**

Susan Stabe, Esq.

**Prior  
Registrations**

4301800;4363447;4506320;AND OTHERS

**Disclaimer**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BABY" APART FROM THE MARK AS SHOWN

**Type of Mark  
Register**TRADEMARK  
PRINCIPAL

# United States of America

United States Patent and Trademark Office

## LUCKY BRAND

**Reg. No. 3,981,713**

**Registered June 21, 2011**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

LUCKY BRAND DUNGAREES, INC. (DELAWARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: BELTS; BLOUSES; BOTTOMS; BOXER SHORTS; DRESSES; HATS; JACKETS; JEANS;  
PANTS; SHIRTS; SHOES; SHORTS; SKIRTS; SWEAT PANTS; SWEATERS; SWEATSHIRTS;  
SWIMWEAR; T-SHIRTS; TANK TOPS; TOPS; VESTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 12-7-1990; IN COMMERCE 12-7-1990.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,646,123, 3,107,591 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAND", APART FROM THE MARK AS SHOWN.

SER. NO. 85-228,321, FILED 1-27-2011.

CURTIS FRENCH, EXAMINING ATTORNEY



*David J. Kybas*

Director of the United States Patent and Trademark Office

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,104,220

United States Patent and Trademark Office

Registered June 13, 2006

**TRADEMARK  
PRINCIPAL REGISTER**

**LUCKY BRAND**

LUCKY BRAND DUNGAREES, INC. (DELA-  
WARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

OWNER OF U.S. REG. NOS. 1,646,123, 2,330,052,  
AND OTHERS.

FOR: MEN'S UNDERWEAR, NAMELY, BOXER  
SHORTS AND BRIEFS; TANK SHIRTS, T-SHIRTS,  
PANTS, TOPS AND SHORTS; AND SLEEPWEAR,  
NAMELY, NIGHTGOWNS, PAJAMAS, SLEEP-  
SHIRTS, BED JACKETS AND ROBES, IN CLASS 25  
(U.S. CLS. 22 AND 39).

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BRAND", APART FROM THE  
MARK AS SHOWN.

SN 75-924,261, FILED 2-22-2000.

FIRST USE 4-1-1995; IN COMMERCE 4-1-1995.

KATHERINE STOIDES, EXAMINING ATTORNEY



**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,686,829**

**United States Patent and Trademark Office**

**Registered Feb. 11, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**LUCKY BRAND DUNGAREES**

LUCKY BRAND DUNGAREES, INC. (CALIFORNIA CORPORATION)  
4529 DISTRICT BOULEVARD  
VERNON, CA 90058

KETS, BEDDING, HOUSEWARES, ARTWORK, FOOD AND BEVERAGES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: RETAIL STORE SERVICES, OTHER THAN SUPERMARKETS, CONVENIENCE STORES, DRUG STORES AND COMBINATION SUPERMARKET/DRUG STORES, FEATURING A VARIETY OF GOODS INCLUDING CLOTHING, CLOTHING ACCESSORIES, HEADGEAR, FOOTWEAR, GENERAL MERCHANDISE, GIFT ITEMS, JEWELRY, ACCESSORIES, LUGGAGE, BAGS, WALLETS, CASES, PURSES, HANDBAGS, SUNGLASSES AND CASES THEREFOR, SUNGLASS CORDS AND CHAINS, TOYS, STATIONERY, FRAGRANCES, PERSONAL CARE PRODUCTS, COSMETICS, TOWELS, BLAN-

FIRST USE 6-1-1995; IN COMMERCE 8-30-1996.

OWNER OF U.S. REG. NO. 1,646,123.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAND DUNGAREES", APART FROM THE MARK AS SHOWN.

SN 75-030,041, FILED 12-8-1995.

KIMBERLY KREHELY, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 2,158,107**

Registered May 19, 1998

**TRADEMARK  
PRINCIPAL REGISTER**



LUCKY BRAND DUNGAREES, INC. (CALI-  
FORNIA CORPORATION)  
4529 DISTRICT BOULEVARD  
VERNON, CA 90058

FOR: CLOTHING, NAMELY, PANTS, JEANS,  
SHORTS, BOTTOMS, DRESSES, SKIRTS, JUMP-  
SUITS, OVERALLS, JACKETS, SHIRTS AND  
HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-0-1991; IN COMMERCE  
1-0-1991.

OWNER OF U.S. REG. NOS. 1,646,123,  
1,739,962, AND 1,886,118.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BRAND" AND "DUNGAREES  
OF AMERICA", APART FROM THE MARK AS  
SHOWN.

SER. NO. 75-118,448, FILED 6-13-1996.

JULIE CLINTON QUINN, EXAMINING AT-  
TORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 3,041,039

United States Patent and Trademark Office

Registered Jan. 10, 2006

**SERVICE MARK  
PRINCIPAL REGISTER**

**LUCKY BRAND JEANS**

LUCKY BRAND DUNGAREES, INC. (DELA-  
WARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: RETAIL STORE SERVICES FEATURING A  
VARIETY OF GOODS INCLUDING CLOTHING,  
CLOTHING ACCESSORIES, HEADGEAR, FOOT-  
WEAR, GENERAL MERCHANDISE, GIFT ITEMS,  
JEWELRY, HANDBAGS, WALLETS, SUNGLASSES,  
FRAGRANCES, PERSONAL CARE PRODUCTS  
AND TOYS, IN CLASS 35 (U.S. CLS. 100, 101 AND  
102).

FIRST USE 12-0-1996; IN COMMERCE 12-0-1996.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,655,004, 2,857,464  
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "BRAND JEANS", APART FROM  
THE MARK AS SHOWN.

SER. NO. 78-513,557, FILED 11-9-2004.

JUDITH HELFMAN, EXAMINING ATTORNEY



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## LUCKY GIRL

## Word Mark

LUCKY GIRL

## Goods and Services

IC 025. US 022 039. G &amp; S: Clothing namely, Pants; Caps; Headwear; Coats; Dresses; Skirts; Ear muffs; Footwear; Gloves; Hats; Jackets; Jeans; Jumpers; Leggings; Overalls; Scarves; Shorts; Socks; Hosiery Sweaters; Sweatpants; Sweatshirts; T-shirts; Tank tops; Tops; Underwear

## Standard Characters Claimed

## Mark Drawing Code

(4) STANDARD CHARACTER MARK

## Serial Number

86313948

## Filing Date

June 18, 2014

## Current Basis

1B

## Original Filing Basis

1B

## Owner

(APPLICANT) Lucky Brand Dungarees, LLC LIMITED LIABILITY COMPANY DELAWARE 540 S. Santa Fe Avenue Los Angeles CALIFORNIA 90013

## Attorney of Record

Susan Stabe, Esq.

## Prior Registrations

4301800;4363447;4506320;AND OTHERS

## Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GIRL" APART FROM THE MARK AS SHOWN

## Type of Mark

TRADEMARK

## Register

PRINCIPAL

## Live/Dead Indicator

LIVE



## United States Patent and Trademark Office

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LUCKY KID

Word Mark	LUCKY KID
Goods and Services	IC 025. US 022 039. G & S: Clothing, namely, belts, socks, hosiery; headwear
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86197470
Filing Date	February 19, 2014
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 15, 2014
Owner	(APPLICANT) Lucky Brand Dungarees, Inc. CORPORATION DELAWARE 540 South Santa Fe Ave. Los Angeles CALIFORNIA 90013
Attorney of Record	Susan Stabe, Esq.
Prior Registrations	1646123;3387018;3500183;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 3,500,183

United States Patent and Trademark Office

Registered Sep. 9, 2008

SERVICE MARK  
PRINCIPAL REGISTER

LUCKY KID

LUCKY BRAND DUNGAREES, INC. (CALIFORNIA CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: RETAIL STORE SERVICES AND ONLINE RETAIL STORE SERVICES, OTHER THAN SUPERMARKETS, CONVENIENCE STORES, DRUG STORES AND COMBINATION SUPERMARKET/DRUG STORES, AND MAIL ORDER SERVICES, ALL IN THE FIELD OF APPAREL, LEATHER GOODS, FASHION ACCESSORIES, JEWELRY, FOOTWEAR, EYEWEAR, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-26-2006; IN COMMERCE 8-26-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,655,004, 2,703,123, AND 2,857,464.

SN 78-833,361, FILED 3-9-2006.

DAYNA BROWNE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,387,018

Registered Feb. 19, 2008

TRADEMARK  
PRINCIPAL REGISTER

LUCKY KID

LUCKY BRAND DUNGAREES, INC. (DELA-  
WARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: CLOTHING, NAMELY, SHIRTS, PANTS,  
SWEATERS, SKIRTS, DRESSES, COATS, BELTS,  
SOCKS, HOSIERY; HEADWEAR, IN CLASS 25 (U.S.  
CLS. 22 AND 39).

FIRST USE 12-0-2006; IN COMMERCE 12-0-2006.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,646,123, 2,903,532,  
AND OTHERS.

SN 78-979,507, FILED 7-6-2006.

DAYNA BROWNE, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## LUCKY LEGEND

**Reg. No. 4,301,800**

**Registered Mar. 12, 2013**

**Int. Cl.: 35**

**SERVICE MARK**

**PRINCIPAL REGISTER**

LUCKY BRAND DUNGAREES, INC. (DELAWARE CORPORATION)  
540 SOUTH SANTA FE AVENUE  
LEGAL DEPT.  
LOS ANGELES, CA 90013

FOR: RETAIL STORE AND ON-LINE RETAIL STORE SERVICES FEATURING APPAREL, HANDBAGS, LEATHER GOODS, FASHION ACCESSORIES, JEWELRY, FOOTWEAR, FRAGRANCE, COSMETICS, PERSONAL CARE PRODUCTS, EYEWEAR, LUGGAGE AND HOME PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-1-2008; IN COMMERCE 1-1-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,655,004, 3,775,279, AND OTHERS.

SN 85-171,753, FILED 11-8-2010.

CURTIS FRENCH, EXAMINING ATTORNEY



*Steven M. Heston*  
Acting Director of the United States Patent and Trademark Office



# United States of America

United States Patent and Trademark Office

## LUCKY LEGEND

**Reg. No. 3,775,279**

**Registered Apr. 13, 2010**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

LUCKY BRAND DUNGAREES, INC. (DELAWARE CORPORATION)  
5233 ALCOA AVENUE  
VERNON, CA 90058

FOR: BOTTOMS; DENIM JACKETS; DENIMS; JEANS; SHIRTS; SHORT-SLEEVED SHIRTS;  
SKIRTS; T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-0-2008; IN COMMERCE 4-0-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,330,052, 3,104,220, AND OTHERS.

SN 77-372,213, FILED 1-15-2008.

GIANCARLO CASTRO, EXAMINING ATTORNEY



*David J. K. Voss*

Director of the United States Patent and Trademark Office

**Int. Cl.: 25**

**Prior U.S. Cls.: 22 and 39**

**United States Patent and Trademark Office**

**Reg. No. 2,469,997**

**Registered July 17, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**LUCKY ME**

LUCKY BRAND DUNGAREES, INC. (CALIFORNIA CORPORATION)  
4599 DISTRICT BOULEVARD  
VERNON, CA 90058

FOR: CLOTHING, NAMELY, SHIRTS, BLOUSES, T-SHIRTS, TANK TOPS, TOPS, VESTS, SWEATERS, DRESSES, SKIRTS, JUMPERS, JUMP SUITS, ROMPERS, OVERALLS, JACKETS, BLAZERS, SPORT COATS, BOXER SHORTS, PANTS, JEANS, SHORTS, LEGGINGS, BOTTOMS, SWEATSHIRTS, SWEAT PANTS, SWEAT SUITS, JOGGING SUITS, SUITS,

SLEEP WEAR, SOCKS, LEOTARDS, BODY SUITS, TIES, BANDANNAS, SWIM WEAR, HEADBANDS, SUSPENDERS, SCARVES, HATS, CAPS, VISORS, BELTS, SHOES, SNEAKERS, SANDALS, BOOTS AND SLIPPERS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-0-1998; IN COMMERCE 5-0-1998.

SN 75-450,495, FILED 3-16-1998.

MARY BOAGNI, EXAMINING ATTORNEY

**Int. Cl.: 25**

**Prior U.S. Cl.: 39**

**United States Patent and Trademark Office**

**Reg. No. 1,739,962**

**Registered Dec. 15, 1992**

**TRADEMARK  
PRINCIPAL REGISTER**

**LUCKY YOU**

LUCKY BRAND DUNGAREES, INC. (CALI-  
FORNIA CORPORATION)  
1617 EAST SEVENTH STREET, #18  
LOS ANGELES, CA 90021

FIRST USE 12-7-1990; IN COMMERCE  
12-7-1990.

OWNER OF U.S. REG. NO. 1,646,123.

SER. NO. 74-267,253, FILED 4-20-1992.

FOR: JEANS, IN CLASS 25 (U.S. CL. 39).

MIDGE BUTLER, EXAMINING ATTORNEY

Int. Cl.: 25

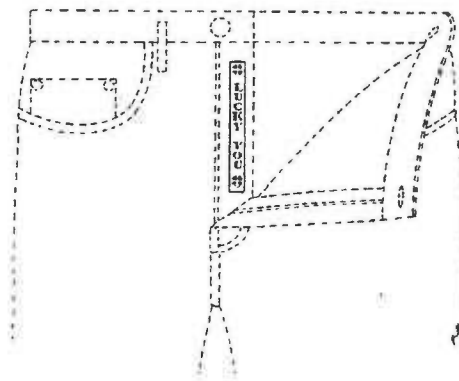
Prior U.S. Cl.: 39

**United States Patent and Trademark Office**

**Reg. No. 1,886,118**

Registered Mar. 28, 1995

**TRADEMARK  
PRINCIPAL REGISTER**



LUCKY BRAND DUNGAREES, INC. (CALIFORNIA CORPORATION)  
4529 DISTRICT BOULEVARD  
VERNON, CA 90058

FOR: JEANS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 12-0-1990; IN COMMERCE 12-0-1990.

OWNER OF U.S. REG. NOS. 1,646,123 AND 1,739,962.

THE DESIGN PORTION OF THE MARK CONSISTS OF A RECTANGULAR CLOTH

LABEL SEWN AND POSITIONED VERTICALLY ON THE INSIDE OF THE FRONT FLY OF A PAIR OF PANTS AND TWO FOUR LEAF CLOVERS. THE BROKEN LINES IN THE DRAWING ARE NOT A PART OF THE MARK AND NO CLAIM IS MADE TO THEM. THEY SERVE ONLY TO SHOW THE POSITION OF THE MARK.

SER. NO. 74-384,152, FILED 4-29-1993.

JANICE O'LEAR, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,306,342

**United States Patent and Trademark Office**

Registered Jan. 4, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**LUCKY YOU**

LUCKY BRAND DUNGAREES, INC. (CALI-  
FORNIA CORPORATION)  
4529 DISTRICT BOULEVARD  
VERNON, CA 90058

FOR: CLOTHING, NAMELY SHIRTS,  
BLOUSES, T-SHIRTS, TANK TOPS, TOPS,  
VESTS, SWEATERS, DRESSES, SKIRTS, JUMP-  
ERS, JUMPSUITS, ROMPERS, OVERALLS,  
JACKETS, BLAZERS, SPORT COATS, BOXER  
SHORTS, PANTS, JEANS, SHORTS, LEGGINGS,  
BOTTOMS, SWEATSHIRTS, SWEATSUITS,

JOGGING SUITS, SLEEPWEAR, SOCKS, BAN-  
DANNAS, SWIMWEAR, HATS, CAPS, SNEAK-  
ERS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 12-12-1990; IN COMMERCE  
12-12-1990.

OWNER OF U.S. REG. NOS. 1,646,123,  
1,739,962, AND 1,886,118.

SN 75-117,086, FILED 6-11-1996.

RADHIKA RAJU, EXAMINING ATTORNEY